



- The breadth of the disputations;
- The complexity of the transaction;
- The complexity of the law both as it relates to the unique features of the Investment Advisers Act of 1940, and its interplay with state law; and
- The complexity and uniqueness of the law of *res judicata* as applied to the Bankruptcy Court Order approving business decisions and settlements between the Debtor and a third party;

This is to say nothing of the fact that the Complaint is fairly specific and lengthy, and responding to a Rule 9(b) motion can likewise become cumbersome.

4. Undersigned is cognizant of the Court's reliance on page limits to prevent parties from failing to do their part in simplifying and streamlining the issues, or from just filing voluminous paper in the hopes of overwhelming the Court and throwing its hands up. We assure the Court that is not the plan here, and we will endeavor to come in under the current 25-page limit.

5. However, in the event that it becomes necessary—i.e., where brevity will come at the expense of clarity, completeness, and thoroughness—Movants respectfully ask this Court for leave to exceed the page limits by up to ten pages.

6. This Motion is not for delay or any other improper purpose but so that substantial justice may be done.

7. Plaintiffs' counsel has conferred with Highland's counsel who do not oppose this Motion.

Dated: June 28, 2021

Respectfully submitted,

**SBAITI & COMPANY PLLC**

/s/ Mazin A. Sbaiti

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**CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred with counsel for Highland Capital Management, L.P., who are not opposed to the relief sought herein.

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti